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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/522,439

01/18/2005

Eli David

329/04308

8690

44909 7590 11/14/2007
WOLF, BLOCK, SCHORR & SOLIS-COHEN LLP
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EXAMINER

AHMED, MASUD

ART UNIT

PAPER NUMBER

3714

MAIL DATE

DELIVERY MODE

11/14/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

ED

Office Action Summary

Application No.

10/522,439

Applicant(s)

DAVID ET AL.

Examiner

Masud Ahmed

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 1/18/2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>9/29/05 and 9/5/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Examiner has considered the Information Disclosure Statement submitted by the applicant on 9/29/2005 and 9/5/2006.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Kavanagh (US 7,003,598). Kavanagh teaches an interactive DVD player system having following limitations:

Regarding claim 1, Kavanagh discloses an interactive application using DVD player that generates images on TV; application images with encoded addresses on DVD; interface unit with IR (Infra-red) transmitter and user input device; readable memory device for determining DVD image address responsive to the user input which determined by the processor (col 1, lines 37-53).

Regarding claims 2-3 and 6-7, interface unit comprise a memory and transmit address responsive to user activation of the at least one input device in the memory (col 5, lines 6-17).

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Regarding claims 4-5, interface unit transmit an address responsive to the stored information and comprises a timer or a clock (col 2, lines 42-44 and col 4, lines 58-59).

Regarding claims, 8-25, Kavanagh further teaches interface unit has a processor and determines the content of an image display on TV responsive to the timer (col 2, lines 42-44 and col 4, lines 58-59); element on the image is responsive to the elapse time (col 8, lines 60-65); generated images on TV by the DVD comprises optical code and code reader (col 3, lines 3-7); optical code associated with audio signal and its responsive to the user input (col 2, lines 24-26), it is inherent in a DVD or CD player or reader to have optical code reader; audio code is associated with image signal (col 8, lines 28-35); TV does not display the image address that transmitted by the interface unit and the interface unit generates a signal if user input is needed (col 7, lines 41-57); system comprises a keyboard or joystick and also comprises readable memory device as DVD, CD or memory card (col 3, lines 65-67, col 4 lines 1-19 and col 2, lines 45-55).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Masud Ahmed whose telephone number is 571 270 1315. The examiner can normally be reached on Mon-Fri 9:30am-5: 30pm, Alt Fri, EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on 571 272 7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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11/07/07


ROBERT E. PEZZUTO
SUPERVISORY PRIMARY EXAMINER